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6 October 2021

Mr Andrew Hall
Deputy Chief Inspector of Rail Accidents
Cullen House
Berkshire Copse Rd
Aldershot
Hampshire GU11 2HP

Dear Andrew,

RAIB Report: Passenger train collision with a derailed locomotive at Bromsgrove on 23 March 2020

I write to report¹ on the consideration given and action taken in respect of the recommendation addressed to ORR in the above report, published on 19 November 2020.

The annex to this letter provides details of actions taken in response to the recommendation and the status decided by ORR. The status of recommendation 1 is **'Implementation on-going'**.

ORR will advise RAIB when further information is available regarding actions being taken to address these recommendations.

We will publish this response on the ORR website on 7 October 2021.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Oliver Stewart', written in a cursive style.

Oliver Stewart

¹ In accordance with Regulation 12(2)(b) of the Railways (Accident Investigation and Reporting) Regulations 2005

Initial consideration by ORR

1. The recommendation was addressed to ORR when the report was published on 19 November 2020.
2. After considering the recommendation ORR passed the recommendation to Network Rail asking them to consider and where appropriate act upon them and advise ORR of its conclusions. The consideration given to the recommendation is included below.
3. ORR also brought the recommendation to the attention of TfL, HS1, Nexus, the Heritage Railway Association and tram operators. as it was concluded that that there are equally important lessons for them. ORR did not ask these organisations to provide a reply.
4. This annex identifies the correspondence with end implementers on which ORR's decision has been based.

Recommendation 1

The intent of this recommendation is to improve the management of overrun risk at buffer stops that are not located in station platforms.

Network Rail should review, and revise if necessary, the processes and standards that it applies to buffer stops installed on non-platform terminal tracks, to ensure that the risks arising from potential buffer stop collisions are being adequately managed.

This recommendation may also be applicable to other infrastructure operators.

ORR decision

5. Network Rail has reviewed existing procedures and standards concerned with buffer stop risk assessment, inspection and maintenance and are now in the process of revising and updating the standards and controls framework.
6. Network Rail have clarified that the revision will include buffer stops not located at stations and risk assessments based on the revised standard NR/L2/TRK/001/mod18 will be applied retrospectively.
7. Network Rail will raise with RSSB the gaps in railway standards identified by RAIB in paragraphs 83 – 86 of the report. This was captured in the following recommendation from the Network Rail formal investigation, with a deadline of 31 December 2021:

The Network Rail Professional Head of Track should request that RSSB review the current RIS and risk assessment tool for buffer stops to include those where there is significant risk to persons or property beyond the railway boundary as described in NR/L2/TRK/001/mod18 and buffer stop locations where a secondary collision risk with running lines is present.

8. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:

- taken the recommendation into consideration; and
- is taking action to implement it by 31 December 2021.

Status: Implementation ongoing. ORR will advise RAIB when actions to address this recommendation have been completed.

Information in support of ORR decision

9. On 23 February 2021 Network Rail provided the following initial response:

Network Rail's Action Plan

The following actions are proposed to address RAIB Recommendation 1 for this incident:

- a. Review existing procedures and standards relevant to buffer stop risk assessment, inspection and maintenance. This will draw upon methodologies used by the Signalling discipline (SORAT process) for assessing the likelihood and consequences of overruns, and possible mitigations to address both risk factors – April 2021.*
- b. Revise and update the Network Rail standards and controls framework, including publication and briefing of any changes, to implement the conclusions of the above review. This may require proposals for new requirements to be piloted with one Network Rail route to validate the impact assessment – December 2021.*

Progress against this plan will be monitored by the Track Standards & Controls Group and via the Network Technical Head Track quarterly liaison meeting with the ORR.

8. On 22 April 2021 Network Rail responded as follows to some questions we asked following our review of the initial response:

We need clarity/confirmation from Network Rail that the review will ensure that extending of and/or revision of the current standards are fully assessed for application to non-station buffer stop locations

Yes, all have been included. We are currently looking at producing a simple TEF to enable a preliminary site assessment to determine whether a full risk assessment is required. Every buffer stop should already be in Ellipse and will therefore have an annual inspection scheduled, which could be used to undertake this preliminary assessment.

As part of their work on this recommendation Network Rail need to consider if any retrospective action is required at non-station buffer stop locations once guidance is reviewed and determined. Can you confirm this is part of the scope of work?

This would be a natural output from the wider scope of risk assessments undertaken resulting from the updates to NR/L2/TRK/001/mod18.

Will Network Rail raise with RSSB the gaps in railway standards that RAIB have flagged in their report at paragraphs 83 – 86?

Yes, we have an internal recommendation from the NR Formal Investigation to do this work. The recommendation text states:

“The Network Rail Professional Head of Track should request that RSSB review the current RIS and risk assessment tool for buffer stops to include those where there is significant risk to persons or property beyond the railway boundary as described in NR/L2/TRK/001/mod18 and buffer stop locations where a secondary collision risk with running lines is present”

The deadline for this is 31/12/2021. The Network Technical Head Maintenance Team will be leading this work and have agreed a start date of 14th June, which aligns with the start date of a new Senior Engineer who is replacing a resource lost following PPF.